

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 2401 - SB 2284

March 14, 2022

SUMMARY OF BILL AS AMENDED (015719): Specifies that the Board of Judicial Conduct (Board) is authorized to investigate and take appropriate action in response to a complaint that an active judge is suffering from a temporary or permanent disability. Defines temporary or permanent disability.

Authorizes the Board or an investigative panel of the Board to refer the matter to the Tennessee Lawyers Assistance Program (TLAP). Authorizes the Board or an investigative panel of the Board to order a physical or mental evaluation of a judge upon recommendation of the TLAP or by unanimous vote of the investigative panel and approval by the Board chair. Requires any cost associated with an evaluation be borne by the Board.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. 17-5-302(a), the Board is authorized to investigate and take appropriate action, including recommendation of removal from office, in any case wherein an active judge is suffering from any disability that is or is likely to become permanent, and that would substantially interfere with the prompt, orderly, and efficient performance of the judge's duties.
- The proposed legislation will not result in a significant increase in complaints, investigations or orders of evaluation to the Board; therefore, any fiscal impact is estimated to be not significant.
- According to the Administrative Office of the Courts, the Board's expenditures were \$185,470 in FY19-20 and \$261,890 in FY20-21.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

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